

RECEIVED
CENTRAL FAX CENTER

JAN 17 2007

Serial No. 10/732,757

Page 9

REMARKS

Claims 1-32 are pending in this application. By this Amendment, claims 1, 13, 14, and 25 are amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

The July 28, 2006 Office Action rejects, under 35 U.S.C. § 102, claims 1-32 over Hawkes et al. (U.S. Patent Pub. No. 2003/0039361), claims 1-5, 7-9, 11, 13-17, 19-20, and 22 over Akiyama (U.S. Patent Pub. No. 2002/0001386), claims 1-5, 7-9, 11, 13-17, 19-20, and 22 over Guillou (U.S. Patent No. 4,323,921). These rejections are respectfully traversed.

Applicants assert that the cited references do not disclose or suggest transmitting or receiving preliminary preview key information prior to transmitting or receiving a broadcast subscription key for the requested broadcast services transmission and decrypting the encrypted broadcast services transmission using the preliminary preview key information prior to receiving the broadcast subscription key, as recited in independent claim 1 and similarly recited in independent claims 13 and 25.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference" (MPEP §2131, citing *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

The Office Action fails to indicate any instance in the references of preliminary "preview" key information. For example, Hawkes et al. only discloses using a broadcast access key (BAK), such as a broadcast subscription key, to decrypt the entire broadcast, not just a preview of the broadcast content (paragraphs 0080 and 0084-0086). In fact, the Office Action alleges Hawkes et al. discloses a preview Ci/ broadcast subscription key, but Applicants cannot find any disclosure of a preview "Ci/" broadcast subscription key.

While Hawkes et al. does disclose the BAK can be updated, there is no disclosure that the BAK provides for a preview of broadcast content. Furthermore, Hawkes et al. also discloses "partially controlled access." However, partially controlled access does not provide for a preview. In particular, partially controlled access provides unencrypted advertisement transmissions. It does not provide for a preview. Furthermore, Hawkes et al. has absolutely no

Serial No. 10/732,757

Page 10

disclosure of decrypting an encrypted broadcast services transmission using preliminary preview key information prior to receiving a broadcast subscription key.

Akiyama discloses a conditional access system that must periodically and individually transmit encrypted control information containing channel contract information and the like to each receiver apparatus (paragraph 0099). Akiyama discloses using a work key K_w , an individual master key K_M , and a channel key K_{ch} .

While Akiyama does disclose the channel key must normally be changed at short periods (paragraph 0100), Akiyama does not disclose anything about preliminary preview key information. Furthermore, the Office Action is not even able to indicate which keys disclosed in Akiyama match the keys described in the claims. In fact, Applicants cannot find any instance of the word "preview" in the entire reference. Furthermore, Akiyama has absolutely no disclosure of decrypting an encrypted broadcast services transmission using preliminary preview key information prior to receiving a broadcast subscription key.

Guillou discloses a subscription directing center that generates a plurality of signals constituting subscribers keys C_i that change randomly at relatively long intervals of the order of a month. An emitting center generates a signal constituting an operating key K that changes randomly at relatively short intervals of the order of a few minutes (col. 3, lines 23-45). However, Guillou does not disclose anything about preliminary preview key information. For example, the Office Action appears to allege the subscriber key C_i satisfies both a preview key information and a broadcast subscription key. However the claims expressly recite a difference between receiving preview key information and receiving a broadcast subscription key. In particular, receiving preview key information occurs prior to receiving a broadcast subscription key. In fact, Guillou has absolutely no disclosure of any information being "preview" information. Furthermore, Guillou has absolutely no disclosure of decrypting an encrypted broadcast services transmission using preliminary preview key information prior to receiving a broadcast subscription key.

Thus, the cited references do not disclose or suggest transmitting or receiving preliminary preview key information prior to transmitting or receiving a broadcast subscription key for the requested broadcast services transmission and decrypting the encrypted broadcast services

Serial No. 10/732,757

Page 11

transmission using the preliminary preview key information prior to receiving the broadcast subscription key, as recited in independent claim 1 and similarly recited in independent claims 13 and 25.

Therefore, Applicants respectfully submit that independent claims 1, 13, and 25 define patentable subject matter. The remaining claims depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 102.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-32 are earnestly solicited.

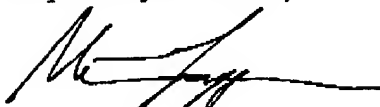
Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Serial No. 10/732,757

Page 12

The Commissioner is hereby authorized to deduct any fees arising as a result of this Amendment or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

Respectfully submitted,



Matthew C. Loppnow
Attorney for Applicant
Registration No. 45,314

Dated: January 17, 2007

Phone No. (847) 523-2585
Fax No. (847) 523-2350

Please send correspondence to:
Motorola, Inc.
Intellectual Property
600 North U.S. Highway 45
Libertyville, IL 60048